

UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

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CIVIL ACTION NO. 1:04-CV-10797-GAO

U.S. DISTRICT COURT
DISTRICT OF MASS.

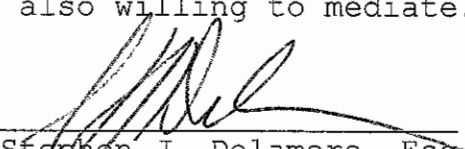
MARK ULIANO,
Plaintiff

vs.

MARIE H. BISSELL and
KENNETH J. TILDEN,
Defendants

PLAINTIFF'S CERTIFICATION PURSUANT TO LR 16.1 (D) (3)

Counsel for the Plaintiff, Stephen J. Delamere, Esquire, hereby certifies that he has conferred with the Plaintiff regarding establishing a budget for the costs of conducting the full course, and various alternative courses, of this litigation. Plaintiff has also discussed the resolution of this litigation through the use of alternative dispute resolution programs as outlined in LR 16.4. Plaintiff agrees to mediate the dispute prior to trial providing Defendants are also willing to mediate.

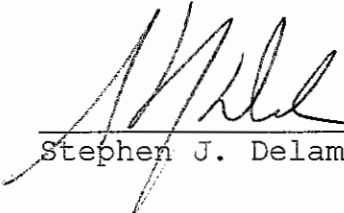


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Dated: September 8, 2005

CERTIFICATE OF SERVICE

I, Stephen J. Delamere, hereby certify that on the above date I caused a true and correct copy of Plaintiff's Rule 16.1 Certification to be served upon Defendant Marie Bissel's counsel, James C. Crowley, Fuller, Rosenberg, Palmer & Beliveau, 340 Main Street, Worcester, MA 01608, Defendant Kenneth Tilden's counsel, Robert Turner, Avery, Dooley, Post & Avery, LLP, 90 Concord Avenue, Belmont, MA 02478, and Elton Watkins, III, Esq., 238 Essex Street, 2nd floor, Lawrence, MA 01840 by first class mail, postage prepaid.


Stephen J. Delamere, Esq.